

Date of Mailing: March 5, 2001

ATTORNEY'S DOCKET NO: M0459/7019DW
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#12

Applicant: Carlos Van Alboom et al.
Serial No: Not Yet Assigned
Filed: Herewith
For: Improved Printed Flocked Pile Fabric and Method for Making Same

BOX PATENT APPLICATION
Commissioner for Patents
Washington, D.C. 20231

PRELIMINARY AMENDMENT

Sir:

Before beginning examination of the above-identified application on its merits, please consider the following.

REMARKS

The enclosed application for U.S. Patent, which is a continuation of U.S. Patent Application Serial No. 09/089,784, includes new claims 1-20. Claims 1-20 have been added for the purpose of more fully defining the Applicants' contribution to the art.

New claim 21 is substantially equivalent to rejected claim 4 of the parent application, except: the limitation requiring that the fibers forming the flocking have a substantial uniform layer, which limitation the Applicants assert is not required to distinguish prior art of record, has been removed, thereby broadening the claim; and the washing step now recites washing 'uncompressed' greige goods, as opposed to 'uncrumpled' greige goods as recited in claim 4 of the parent application. It is asserted that since 'uncompressed' is a sub-category of the more expansive 'uncrumpled' limitation, this change also broadens the scope of the claim, as compared to claim 4 of the parent application (e.g. fabrics that are crumpled, but not compressed during the washing step are now within the scope of the claim), and can in no sense be construed in any way as narrowing the scope of the previously pending claim.

In the Final Office Action of the parent application (Paper No. 7, mailed August 8, 2000), the Examiner asserts that the term 'uncrumpled' is new matter because the specification does not clearly teach that the greige goods are in an uncrumpled state during washing. The Examiner